



09-20-02

MRZ 8980
PATENT2761
2161Antria Davis
#11½/Suppl
Response
10-10-02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of David C. Carrithers et al.

Art Unit 2761

Serial No. 09/399,597

Filed September 20, 1999

For DEBIT CARD SYSTEM AND METHOD FOR IMPLEMENTING INCENTIVE
AWARD PROGRAM

September 19, 2002

RESPONSE TO OFFICE ACTION MAILED FEBRUARY 21, 2002RECEIVED
SEP 24 2002
Technology Center 2100

TO THE ASSISTANT COMMISSIONER FOR PATENTS,

SIR:

The following responds to the Office action mailed February 21, 2002. A request for a Continuing Prosecution Application (CPA) was filed in this case on August 21, 2002, thereby extending the time for responding to the Office action. Please consider the following in response to the Office action mailed February 21, 2002 prior to issuing a further Office action.

REMARKS

Claims 1-28 are presented for further examination.

Applicants thank the Examiner for interviewing the undersigned attorney. Applicants' note that, as a result of the interview, it was agreed that at least the combination of subparagraphs d-f of claim 1 are unique and distinguished over the prior art. The following remarks are consistent with and summarize the arguments presented during the interview. The following remarks will follow the sequence of the Office action (the numerals at the beginning of the paragraphs refer to the numbered paragraphs of the Office action).

3. Claims 1, 4, 5, 7, 9, 11, 12, 14, 15, 19, 21-23 and 26 stand rejected under 35 USC 103(a) as unpatentable over Akel in view of Ray and Lalonde. Applicants disagree. Akel is the primary reference and fails to teach a system/method including authorized merchants and unauthorized merchants as recited by the